

UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

United States of America

v.

LILIAN MANTSEVA BARKOVSKAJA, aka Lilian
Manseva and Lilian Raymond Odierno

Case No.

1:21MJ 276

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 22, 2021 in the county of Moore in the
Middle District of North Carolina, the defendant(s) violated:

Code Section

18 U.S.C. 1546(a)

Offense Description

Fraud and Misuse of Visas

This criminal complaint is based on these facts:

Please see attached affidavits.

☐ Continued on the attached sheet.

On this day, the applicant appeared before me via reliable electronic means, that is by telephone, was placed under oath, and attested to the contents of this Criminal Complaint and attached affidavit in accordance with the requirements of Fed. R. Crim. P. 4.1.

Date:

07/29/21

City and state:

Greensboro, North Carolina

/S/ VIKI L. MCCORKEL

Complainant's signature

Viki L. McCorkel, Special Agent

Printed name and title



Judge's signature

L. Patrick Auld, U.S. Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Viki L. McCorkel, your Affiant (hereafter “your Affiant”), being duly sworn do hereby affirm and state the following.

INTRODUCTION

1. I am employed as a Special Agent of the Bureau of Diplomatic Security, Diplomatic Security Service (DSS), United States Department of State, and have been so employed for more than ten years. I am currently assigned to the Greensboro Resident Office (GNRO) and responsible for investigating U.S. passport fraud and visa fraud. I have been assigned to this office since 2019. Prior to being assigned to the DSS’s Greensboro Resident Office, I was the Assistant Regional Security Officer (ARSO) assigned to the United States Embassy Rome, DSS Counterintelligence Division, United States Embassy Port-au-Prince, and the Houston Field Office conducting passport and visa fraud investigations. My duties with the DSS include, but are not limited to, the investigation of alleged violations of federal criminal statutes. I have conducted physical and electronic surveillance, executed search, seizure, and arrest warrants, and reviewed and analyzed records and documents, both electronic and physical, of fraudulent activity. I have also interviewed suspects, defendants, witnesses, victims, and spoken to other experienced investigators concerning the methods and practices of criminal activity.

2. As a federal agent, your Affiant is authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the

United States.

BACKGROUND

3. This affidavit is made in support of a criminal complaint for Lilian MANTSEVA BARKOVSKAJA, (AKA: Lilian MANSEVA, AKA: Lilian RAYMOND ODIERNO), Date and Place of Birth: August 4, 1986, Russia (hereinafter BARKOVSKAJA) for a violation of Title 18, United States Code, Section 1546(a) (false claims and statements, along with the use of fraudulent and fabricated documents in an immigrant visa to the United States).

4. Because this affidavit is being submitted for the purpose of securing a criminal complaint, your Affiant has set forth only those facts that your affiant believes are necessary to establish probable cause for violations of Title 18, United States Code, Section 1546 (Fraud and Misuse of Visas (hereinafter referred to as the SUBJECT OFFENSE)).

5. On July 22, 2021, GNRO received information from the Department of Homeland Security's Homeland Security Investigations (HSI)/Raleigh Field Office regarding a female presenting herself as the lawful wife of a retired four-star General of the United States Army, whose initials are R.O. and possessing an immigrant visa issued by the United States Department of State. The immigrant visa type was "IR1," which is issued to spouses of American citizens.

VISA APPLICATION PROCESS

6. A visa issued by either the U.S. Department of State or Homeland Security identifies the holder of the visa as a citizen of a foreign country who has

lawful permission to apply to enter the United States for a specific purpose and a specific period of time. Generally, under U.S. laws and regulations, a visa is required for any non-Citizen of the U.S. (alien) who resides in a foreign country to enter the United States. An alien who resides in a foreign country may apply for and be granted a U.S. visa if such alien is otherwise qualified under the Immigration and Nationality Act (INA). The INA makes a basic distinction between immigrant aliens and nonimmigrant aliens with regard to length of stay and permissible activities, with the employability of nonimmigrant aliens by U.S. businesses as the most significant regulatory and statutory subset. Certain visa classes require a petition be approved by the U.S. Citizenship and Immigration services prior to the alien being able to apply for the visa.

7. A United States Citizen can file a Petition for Alien Spouse (I-130) with the U.S. Citizenship and Immigration Services (USCIS) to bring his or her spouse to the United States under the immigrant visa category IR1. Upon entering the United States with an IR1 visa, the bearer of the visa becomes a Legal Permanent Resident (LPR).

8. An alien seeking to acquire an immigrant visa to travel to the United States must complete and file an online application known as the Immigrant Visa Application (DS-260). U.S. Consular Officers employed by the Department of State are assigned to United States Embassies and Consulates throughout the world. They are specifically trained to adjudicate visa applications overseas. During their training, they are instructed that for an applicant to be granted a visa, the applicant

must demonstrate, to the satisfaction of the Consular Officer, that he or she is entitled to the visa based on the appropriate U.S. laws and regulations.

9. With few exceptions, an alien must appear at a U.S. Embassy and/or Consulate and be interviewed by a U.S. Consular Officer. The Consular officer makes the final decision on whether to issue the visa based on the facts presented by the applicant and the appropriate law and regulations.

INVESTIGATIVE DETAILS

10. On June 17, 2021, police officers from the Pinehurst Police Department responded to the residence in Pinehurst, North Carolina which belongs to R.O., in reference to a suspicious person. Upon arrival, the police officers encountered BARKOVSKAJA sitting on the front doorstep of the residence with several suitcases. BARKOVSKAJA provided the police officers her Spanish passport and a United States immigrant visa number MDD202063800201 issued on April 8, 2021, by the United States Embassy Madrid. The immigrant visa listed BARKOVSKAJA's nationality as Spanish. BARKOVSKAJA had in her possession a photograph of a fraudulent United States passport with R.O.'s personal information contained on the biographical page of the passport.

11. BARKOVSKAJA also provided officers with a fraudulent death certificate for R.O.'s wife stating that she had died in a motor vehicle accident in 2009. However, the officers spoke with R.O.'s wife at the Residence. She is not deceased.

12. BARKOVSKAJA provided officers with a Marriage Certificate from Cote' d'Ivoire purporting to show that she had married R.O. in that country on July

7, 2014. (the "Marriage Certificate"). R.O. told the officers that he had never travelled to Cote' d' Ivoire and was not married to BARKOVSKAJA.

13. On July 4, 2021, Officers from the Pinehurst Police Department responded to R.O.'s residence in reference to a call about a suspicious person on the property. Upon arrival officers again encountered BARKOVSKAJA. She again advised the responding police officers she was there to see her husband, R.O.

14. On July 22, 2021, Special Agents from DSS, HSI, the Federal Bureau of Investigation Joint Terrorism Task Force (hereafter JTTF), and an Immigration Officer from the United States Citizenship and Immigration Services (USCIS) began accessing and sharing data belonging to each federal agency. GNRO initiated a joint investigation.

15. DSS received the Petition for an Alien Relative, I-130, seeking issuance of an IR1 visa to BARKOVSKAJA, with attachments from the United States Embassy in Madrid. Attached to the petition was a fraudulent Naturalization Certificate number: 24608249 bearing a photograph of R.O. This true bearer of Naturalization Certificate number: 24608249 is an individual whose initials are J.G.R. who was born on March 3, 1953, in the nation of Mexico. A copy of the Marriage Certificate was also attached to the petition.

16. DSS located the DS-260 immigrant visa application for BARKOVSKAJA submitted electronically on August 25, 2020, under penalty of perjury. In her immigrant visa application, BARKOVSKAJA falsely listed her "spouse," R.O., as the petitioner for issuance of the visa.

17. In her immigrant visa application submitted electronically on August 25, 2020 under penalty of perjury, BARKOVSKAJA falsely stated she has previously traveled to the United States on three separate occasions in 2013, 2014, 2015. The only record of her entering the United States on May 30, 2021, when she presented immigrant visa case number: MDD202063800201 issued on April 8, 2021, to the Customs and Border Patrol officials at LAX Airport, Los Angeles, California to gain entry to the United States.

18. The investigation by DSS, thus far, determined that probable cause exists indicating the individual, Lilian MANTSEVA BARKOVSKAJA, obtained an immigrant visa to enter the United States as a Legal Permanent Resident using fraudulent documents and statements and knowingly possessed this visa in the Middle District of North Carolina, knowing it to be procured by means of false claims and statements.

CONCLUSION

19. Based on the above information, your Affiant respectfully submits that there is probable cause to believe that Lilian MANTSEVA BARKOVSKAJA has committed the SUBJECT OFFENSE within the Middle District of North Carolina and, therefore, requests a warrant for her arrest.



Viki L. McCorkel
Special Agent
Diplomatic Security Service

In accordance with Rule 4.1(b)(2)(A), the Affiant attested under oath to the contents of this Affidavit, which was submitted to me by reliable electronic means, on this 29th day of July, 2020, at 5:24 a.m./p.m.



L. PATRICK AULD
United States Magistrate Judge